IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE FOURTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

**THE HON'BLE MR JUSTICE N.V. RAMANA**

**WRIT PETITION NO : 9849 of 1998**

Between:

1 K.Ajay Kumar Ghosh, S/o. Mandaiah,
R/o. Sujathanagar, 3rd lane, Ongole,
Prakasam Dist.
2 G.Rajendra Rao, S/o. Veeraswamy,
Shop No. 146, S.B.M.Complex,
Ongole,Prakasam Dist.
3 M.Raghava Rao, S/o.Pitchaiah,
R/o. Throvagunta, Prakasam Distirct.
4 D.krishna Murthy, S/o. Venkateswarlu,
R/o. Durbar Road, Chirala,
Prakasam Dist.

**..... PETITIONER(S)**

AND

The Superintending Engineer, Road and Buildings
National Highways, Nellore-524004.

**.....RESPONDENT**

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of MANDAMUS declaring the action of the respondent in insisting for possessing of Hot mixer plant an paver even for supplying the tenders, or for submitting the tenders or for considering the same pursuant to the Chit Tender Notice No.17/D2/97-98 dated 21-3-98 as illegal, arbitrary, unconstutional and unreasonable and consequently direct the respondent to issue and consider the tender submitted by the petitioner without insisting for possessiong of Hot Mixer plant and paver and direct the respondent to grant reasonable time for acquiring Hot Mixer plant and paver either as own or on lease if their tenders are accepted.

**Counsel for the Petitioner: MR.T.RAJENDRA PRASAD**

**Counsel for the Respondent: GP FOR ROADS & BUILDINGS**

**The Court made the following:**

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**ORDER:**

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The learned counsel for the petitioners submits that the subject matter in this writ petition has become infructuous.

Recording the above submission, the writ petition is dismissed as having become infructuous. No costs.

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**N.V. RAMANA, J**

**Date: 04-03-2005**

Svv

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Superintending Engineer, Road and Buildings
National Highways, Nellore-524004.

2 Two C.Cs to the Government Pleader for Roads & Buildings, High Court
Buildings, Hyderabad.

3 Two C.D.copies.

*Form-NIC-OGS/WP{**BDLNM**}*